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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/254,474	03/05/1999	HIDEICHI NITTA	1422-371P	7077

7590 11/15/2004
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EXAMINER

DOUYON, LORNA M

ART UNIT	PAPER NUMBER
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1751

DATE MAILED: 11/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/254,474

Applicant(s)

NITTA ET AL.

Examiner

Lorna M. Douyon

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-8, 13, 16, 17 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-8, 13, 16, 17 and 20-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Art Unit: 1751

1. This action is responsive to the amendment filed on August 23, 2004.
2. Claims 5-8, 13, 16-17 and 20-24 are pending.
3. The objection to claims 16, 17, 21-24 for minor informalities is withdrawn in view of applicants' amendment.
4. Claims 5-8, 13, 16-17 and 20-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Barletta et al. (US Patent No. 4,919,847), hereinafter "Barletta" for the reasons set forth in the previous office action.
5. Claims 5, 6, 8, 13, 16-17, 20-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tadsen et al. (US Patent No. 5,527,489), hereinafter "Tadsen" for the reasons set forth in the previous office action.
6. Claims 5, 6, 8, 13, 16-17, 20-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Otrhalek et al. (US Patent No. 3,425,948), hereinafter "Otrhalek" for the reasons set forth in the previous office action.

Response to Arguments

7. Applicants' arguments filed August 23, 2004 have been fully considered but they are not persuasive.

With respect to the obviousness rejections based upon Barletta or Tadsen, Applicants argue that upon considering the earlier filed remarks incorporated herein by reference, neither Barletta nor Tadsen teaches, utilizes or otherwise provides for detergent granules and detergent compositions produced utilizing the method as instantly claimed and provide no motivation to arrive at the same.

The Examiner respectfully disagrees with the above arguments because each of Barletta and Tadsen teaches that the sulfonic acid comprises free sulfuric acid, the amount of which would overlap with the total amount of sulfuric acid in the present claims, in Barletta, see col. 5, lines 23-31 and in Tadsen, see col. 10, lines 4-11. Hence, since the proportions of the sulfuric acid overlaps with those of the present claims, the resulting detergent compositions in Barletta or Tadsen would have similar properties as those of the present claims.

With respect to the obviousness rejection based upon Otrhalek, Applicants argue that the outstanding office action acknowledges that Otrhalek fails to specifically disclose the molar ratio of sulfuric acid to alkylbenzene sulfonic acid as those recited and the bulk density of the resulting composition.

Even though Otrhalek does not specifically disclose the molar ratio of sulfuric acid to alkylbenzene sulfonic acid as those recited, Otrhalek in the Table under cols. 5-6 teaches proportions of the liquid acid precursors and the proportions of the additional acid like sulfuric acid, hence, it would have been obvious to one of ordinary skill in the art at the time the

Art Unit: 1751

invention was made to have optimized the proportions of sulfuric acid and liquid acid precursors through routine experimentation for best results, as stated in the previous office action. In col. 6, lines 39-43, Otrhalek teaches that the finished product comprises small beads of detergent material having a bulk density of about 35 pounds per cubic foot which is equivalent to 560.7 g/l which reads on the bulk density of 500 g/l or more as required in instant claim 13.

Applicants also argue that Otrhalek does not teach, disclose or motivate one of ordinary skill in the art to utilize in any way a liquid acid precursor (LAS) containing such a low amount of inorganic acid, or teach, disclose or otherwise render obvious that by utilizing such a liquid acid precursor (LAS) there can be advantageously and desirably obtained the accomplishment of appropriate color for resulting detergent granules, thereby contributing to the outer appearance of a desired detergent product.

The Examiner respectfully disagrees with the above argument because in col. 3, lines 69-72, Otrhalek discloses that the sulfuric acid esters or sulfonic acids to be used in this invention may be obtained from the corresponding alcohols or alkylaryl compounds by methods known to the art, and in col. 4, lines 32-35, Otrhalek teaches that the readily available sulfonic acid and sulfuric acid ester materials generally include some free sulfuric acid. With respect to the outer appearance of the detergent product, in col. 2, lines 18-21, Otrhalek teaches that the tumbling action prevents discoloration of the product which is characteristic of prior art processes employing an alkali carbonate, and in col. 2, lines 52-54, discoloration is also avoided by maintaining the temperature of the material being sprayed below 140°F.

Art Unit: 1751

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

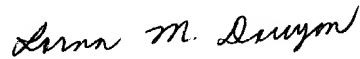
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (571) 272-1313. The examiner can normally be reached on Mondays-Fridays from 8:00AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1751

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lorna M. Douyon
Primary Examiner
Art Unit 1751